

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
CYCLE-CRAFT CO., INC.)	
d/b/a BOSTON HARLEY-DAVIDSON/BUELL,)	
)	
Plaintiff,)	
v.)	CIVIL ACTION
)	NO. 04 11402 NMG
HARLEY-DAVIDSON MOTOR COMPANY, INC.)	
and BUELL DISTRIBUTION COMPANY, LLC,)	
)	
Defendants.)	
_____)	

DEFENDANTS' DISCLOSURES PURSUANT TO RULE 26(a)(3)

Pursuant to Local Rule 16.5 and Fed. R. Civ. P. 26(a)(3), defendants hereby make the following disclosures:

A. Witnesses. Defendants may call any of the witnesses identified below to testify at the trial of this matter. Defendants reserve the right to use the deposition testimony of any witness who fails to appear at trial to testify or who is otherwise unavailable. Defendants also reserve the right to call rebuttal witnesses who may not be listed below.

1. Witnesses expected to be called:

Jon Robert Flickinger
Harley-Davidson Motor Company, Inc.
Milwaukee, WI 53208

Steven R. Verduyn
Harley-Davidson Motor Company, Inc.
Milwaukee, WI 53208

Sean Walsh
60 Essex Street
Salem, MA

Jason Marasca
25 Pittman Street
Methuen, MA

Jamie E. McGrath
62 Clifton Avenue
Saugus, MA 01906

Jeffrey Christensen
6 Durgan Lane
Lee, NH

2. Witnesses to be called if the need arises:

Gene Ostrom
Harley-Davidson Motor Co.
Milwaukee, WI

Dianne Bolden
Harley-Davidson Motor Co.
Milwaukee, WI

Michael Malicki
Harley-Davidson Motor Co.
Milwaukee, WI

Scott Manley
Harley-Davidson Motor Co.
Milwaukee, WI

William Holaday
Harley-Davidson Motor Co.
Milwaukee, WI

Terry Payne
Harley-Davidson Motor Co.
Milwaukee, WI

Harry Nichols
Harley-Davidson Motor Co.
Milwaukee, WI

Al Contois
9 Chestnut Way
Stratham, NH

Ronald Buchbaum
No. 7 Cape Ann Circle
Ipswich, MA

Kenneth McPhee
19 Temple Drive
Methuen, MA

John Atwood
361 Charles Street
Reading, MA

Karen Atwood
10 Blueberry Way
Peabody, MA

Stephen Vesey
13 Birch Hill Road
Danvers, MA

Robert C. Murphy
266 Cabot Street
Beverly, MA 01915

B. Witnesses to be presented by deposition:

1. Debra Lunsford
2. Michael Stevens
3. Michael Bloom

C. Exhibits. A list of documents and other exhibits that defendants plan to offer into evidence is attached hereto as Exhibit A. Defendants reserve the right to offer rebuttal exhibits that are not identified on the attached list. Defendants reserve the right to object to any listed exhibits if offered by the plaintiff. Defendants also reserve their right to offer excerpts, enlargements or summaries of any listed exhibits.

**Harley-Davidson Motor Co., Inc.,
and Buell Distribution Co., LLC**

By their attorneys,

/s/ William F. Benson

William N. Berkowitz, BBO# 544148

William F. Benson, BBO# 646808

BINGHAM MCCUTCHEN LLP

150 Federal Street

Boston, MA 02110

Ph: (617) 951-8000

Fx: (617) 951-8736

Dated: April 5, 2006

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney(s) of record for each other party by hand on April 5, 2006.

/s/ William F. Benson

William F. Benson